

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Schneider et al.

Examiner: Leah SCHLIENTZ

Serial No.: 10/544,123

Art Unit: 1618

Filing Date: August 2, 2005

Confirmation No.: 7493

For: Ultrasound Contrast Agents And Process For The Preparation Thereof

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United States Patent and Trademark Office on: **July 26, 2011**

- 1) PTO/SB/21: 2pp;
- 2) Sup IDS Transmittal: 3pp; and
- 3) Form PTO/SB/08A: 4pp.

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

UNDER 37 CFR §§ 1.56, 1.97 AND 1.98

Sir:

Supplemental to the Information Disclosure Statements (“IDS”) filed 8/02/2005; 11/18/2005; and 8/27/2007, all of which were considered by the Examiner, Applicants respectfully submit the immediate IDS. The accompanying Form PTO/SB/08A identifies a reference which was cited in an Office Action for a related US application no. 11/641,2889, mail date July 19, 2011.

It is respectfully requested that this Information Disclosure Statement and the reference(s) identified on the Form PTO/SB/08A, a copy of which is being transmitted, be considered during the pendency of the prosecution of the immediate application pursuant to §§ 1.56, 1.98 and 1.97:

- ☐ (b) An information disclosure statement shall be considered by the Office if filed by the applicant within any one of the following time periods:
- ☐ (1) within three months of the filing date of a national application other than a continued prosecution application under § 1.53(d)
- ☐ (2) within three months of the date of entry of the national stage as set forth in § 1.491 in an international application
- ☐ (3) before the mailing of a first Office action on the merits; or
- ☐ (4) before the mailing of a first Office action after the filing of a request for continued examination under § 1.114.
- ☒ (c) An information disclosure statement shall be considered by the Office if filed after the period specified in paragraph (b) of this section, provided that the information disclosure statement is filed before the mailing date of any of a final action under § 1.113, a notice of allowance under § 1.311, or an action that otherwise closes prosecution in the application, and it is accompanied by one of
- ☐ (1) the statement specified in paragraph (e) of this section; or
- ☒ (2) the fee set forth in § 1.17(p).
- ☐ (d) an information disclosure statement shall be considered by the Office if filed by the applicant after the period specified in paragraph (c) of this section, provided that the information disclosure statement is filed on or before payment of the issue fee and is accompanied by:
- ☐ (1) the statement specified in paragraph (e) of this section; and
- ☐ (2) the fee set forth in § 1.17(p).
- ☐ (e) a statement under this section must state either:
- ☐ (1) that each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement; or
- ☐ (2) that no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in § 1.56(c) more than three months prior to the filing of the information disclosure statement.
- ☒ (g) An information disclosure statement filed in accordance with section shall not be construed as a representation that a search has been made
- ☒ (h) The filing of an information disclosure statement shall not be construed to be an admission that the information cited in the statement is, or is considered to be, material to patentability as defined in § 1.56(b).

Applicants further request that:

1. The references identified on the enclosed Form PTO/SB/08A be made of record therein and appear among the "References Cited" on any patent to issue therefrom.
2. The enclosed Form PTO/SB/08A be appropriately initialed by the Examiner, and a copy of same be returned to Applicants' attorney.

Under 37 CFR § 1.17(p), the fee of \$180.00 is believed to be due with the filing of this Information Disclosure Statement as it is being filed under 37 C.F.R. § 1.97(c). Furthermore, the Director is hereby authorized to charge any additional fees due, or credit any overpayments to Deposit Account No. 50-2168.

Early and favorable action is hereby requested.

Respectfully submitted,

July 26, 2011
Date

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